



*United States Attorney
Southern District of New York*

FOR IMMEDIATE RELEASE
JULY 29, 2005

CONTACT: U.S. ATTORNEY'S OFFICE
HERBERT HADAD, MEGAN GAFFNEY,
HEATHER TASKER
PUBLIC INFORMATION OFFICE
(212) 637-2600

FBI
JAMES M. MARGOLIN,
MATTHEW BERTRON
(212) 384-2720, 2715

[CORRECTED]

**NEW JERSEY MAN SENTENCED TO FIVE YEARS IN FEDERAL
PRISON FOR USING THE INTERNET TO ENTICE MINOR GIRL TO
ENGAGE IN SEXUAL ACTIVITY AND OF TRAVELING TO NEW YORK
CITY TO ENGAGE IN SEXUAL ACTS WITH MINOR GIRL**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, and MARK J. MERSHON, the Assistant Director in Charge of the New York Office of the Federal Bureau of Investigation, announced that MATTHEW ADAM BRAND, a/k/a "Tempoteech," was sentenced late yesterday by United States District Judge PETER K. LEISURE to five years' imprisonment for using the internet and telephone in attempting to entice a minor to engage in sexual activity and traveling from New Jersey to New York to engage in sexual acts with a minor. The defendant was found guilty following a two-week jury trial in January 2005 before Judge LEISURE on both counts contained in the Indictment.

The evidence at trial established that BRAND, a voice

and drama teacher who used the screen name "Tempoteech," communicated with a special agent of the FBI acting in an undercover capacity and posing as a thirteen-year old girl.

According to the evidence at trial, from on or about January 23, 2004, up to and including February 11, 2004, during the course of their internet conversations BRAND emailed the undercover agent a photograph of himself, offered to give the agent free singing lessons and asked the agent if she would like to act or model. The agent informed BRAND that the person with whom he was communicating was "only 13," and sent BRAND a photograph of a young teenage girl that was purportedly a photograph of the minor girl with whom he believed he was communicating. BRAND said that the purported minor girl could model for a calendar he was putting together and pose with "puppets and giant toys." BRAND asked the purported minor girl if she had a boyfriend and asked whether the girl wanted to date an older man. BRAND stated that he "would love to have [the girl] as a girlfriend," and asked the girl to be his valentine; BRAND indicated that he would engage in certain sexual activity with the purported girl, including, but not limited to, kissing, "touch and play," "fool around and explore," and "do it all." BRAND stated that they could go to his place in "jersey," that he would show the girl "how to be a woman," and proceeded to describe additional sexual activity in which he wanted to engage

with the girl. BRAND also stated that he loved the girl, and the purported girl informed him that she could only talk to and see him at certain times because of her mother and that she was a virgin.

The proof at trial showed that, on or about February 11, 2004, BRAND had several recorded telephone calls with a person posing as the same thirteen-year old girl he had communicated with over the internet, and BRAND arranged to meet the minor girl the next day at the Port Authority Bus Terminal in Manhattan, New York. BRAND also stated that he would travel from New Jersey to New York and take the minor girl back to New Jersey with him. During at least one of these telephone conversations, BRAND discussed, among other things, certain sexual acts in which he and the minor girl would engage after they met. Furthermore, BRAND said that the girl would not get pregnant because he intended to use a condom.

On or about February 12, 2004, at the arranged time and meeting place at the Port Authority, BRAND was arrested by FBI agents. At that time, the evidence at trial showed, BRAND admitted that he had traveled from New Jersey to New York to meet a person he believed to be the thirteen-year old minor girl with whom he had previously spoken to and communicated with over the internet. Furthermore, recovered from BRAND's person and his car, among other things, were condoms and a sign bearing the name

of the minor girl. Subsequently, approximately 100 images of child pornography and child erotica were recovered from a computer seized from BRAND's residence.

The evidence at trial also showed that BRAND had communicated via the internet with at least three other people that he believed were thirteen-year old girls.

BRAND, 37, resided in Jackson, New Jersey.

Mr. KELLEY praised the efforts of the Federal Bureau of Investigation's Crimes Against Children Squad in this case.

Assistant United States Attorney ALEXANDER H. SOUTHWELL is in charge of the prosecution.

05-165

###